

REMARKS

In the Official Action, the Examiner states the application is directed to two distinct inventions and has required a restriction pursuant to 35 U.S.C. §§ 121 and 372 in which the Examiner grouped the claims as follows:

Group I: Claims 1-24 and 41, drawn to a pressure sensitive adhesive;

Group II: Claims 25-40, drawn to a method of forming an adhesive tape.

The basis for the restriction is that the inventions are said not to be linked to form a single general inventive concept because they lack the same or corresponding special technical features. Specifically, the basis for the restriction was stated that “the Invention of Group I requires an insoluble polymer that is not included in Group II.” Office Action at 2.

In the claim amendments presented herein, independent claim 25 is amended to recite that the formed polymer is an insoluble polymer. As claims 26 through 40 all depend from claim 25, it is respectfully submitted that the current amendment is sufficient to remove the basis of the restriction and that both Groups I and II should all be examined together, as all claims in both groups now contain the limitation of an insoluble polymer that was the basis of the restriction. In the event the Examiner maintains the restriction despite the amendment, Applicants elect the claims of Group I, 1-24 and 41 for prosecution with traverse (the basis for traversal being that the amendment is sufficient to overcome the restriction).

Claims 1, 16, 25 and 40 are also amended to correct clerical errors and to otherwise put the claims in better form for examination.

In particular, claims 1 and 25 are amended to substitute the phrase “and/or” with “or” for consistency within the claims and with respect to the dependent claims. The use of the phrase “or” alone is meant to clarify and ensure that the claim is given its full breadth and that it does not necessarily require the presence of both oligomers and monomers, although the presence of both is not excluded. Claim 25 is also amended to remove a redundancy. Claims 16 and 40 are amended to add references to the variables Z and R₃ found in the formulae, support for which is

found at paragraphs [0035] and [0036] of the application as originally filed. No new matter is presented.

This response is filed within one month of the mailing date of the Office Action. The Commissioner is authorized to charge any fees or credit any overpayments to Deposit Account No. 50-1059. In the event any outstanding issues remain or if it would assist in the examination and allowance of the case, Applicants would appreciate the courtesy of a telephone call to Applicants' undersigned representative to resolve any such issues in an expeditious manner.

Respectfully submitted,
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